

Message Text

LIMITED OFFICIAL USE

PAGE 01 BONN 00375 081803Z

65

ACTION EUR-12

INFO OCT-01 IO-11 ISO-00 CIAE-00 DODE-00 PM-04 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SAJ-01

ACDA-05 /074 W

----- 020618

R 081750Z JAN 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 5538

USMISSION USUN NEW YORK

INFO USMISSION NATO BRUSSELS

USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY BERLIN

LIMITED OFFICIAL USE BONN 00375

E.O. 11652: N/A

TAGS: PFOR, UN, WB, GE, GW

SUBJECT: EXTENSION TO BERLIN OF CONVENTION ON FOREIGN
ARBITRAL AWARDS

REFS: (A) STATE 294214; (B) BONN 19592; (C) BONN 18796;
ALL 1975

1. UK REP AT JAN. 7 BONN GROUP MEETING INFORMED OTHERS
THAT UKUN HAD NOTED SOME MINOR ERRORS IN, E.G., DATES
IN TEXT OF NOTE AGREED BY THE FOUR CAPITALS TO BE SENT
TO UN REGARDING EXTENSION TO BERLIN OF CONVENTION ON
FOREIGN ARBITRAL AWARDS. UKUN, IN PASSING THE
CORRECTIONS BACK TO FCO AND UK EMBASSY BONN, ALSO
PROVIDED A REVISED TEXT WHICH WAS THOUGHT TO BE IN MORE
STANDARD (AND ELEGANT) LANGUAGE FOR NOTE TO UN. THE
SUBSTANCE OF TEXT AS AGREED BY AUTHORITIES HAS NOT BEEN
CHANGED.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BONN 00375 081803Z

2. FOR CONVENIENCE OF ADDRESSEES, UKUN TEXT FOLLOWS.
BEGIN TEXT:

WE HAVE THE HONOUR TO REFER TO THE NOTE NO.
C.N.37.1975.TREATIES-1 OF 26 MARCH 1975 FROM THE LEGAL
COUNSEL CONCERNING THE ACCESSION OF THE GERMAN
DEMOCRATIC REPUBLIC TO THE CONVENTION ON THE RECOGNITION
AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS, DONE AT NEW
YORK ON 10 JUNE 1958, AND THE EUROPEAN CONVENTION ON
INTERNATIONAL COMMERCIAL ARBITRATION, DONE AT GENEVA
ON 21 APRIL 1961. WITH RESPECT TO THE DECLARATION
BY THE MINISTRY OF FOREIGN AFFAIRS OF THE GERMAN
DEMOCRATIC REPUBLIC WHICH, AS REPORTED IN THAT NOTE, WAS
MADE IN A NOTE ACCOMPANYING THE INSTRUMENTS OF
ACCESSION AND WHICH RELATED TO THE APPLICATION OF THE
CONVENTIONS TO THE WESTERN SECTORS OF BERLIN, THE
GOVERNMENTS OF FRANCE, THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF
AMERICA STATE THAT THEIR POSITION REMAINS AS SET OUT
IN THE NOTES WHICH WERE SENT TO YOU, SIR, BY
THEIR PERMANENT REPRESENTATIVES TO THE UNITED NATIONS
ON 7 JULY 1975 AND THE RELEVANT PARTS OF WHICH WERE
REPORTED IN THE NOTES FROM THE LEGAL COUNSEL NOS.
C.N.192.1975.TREATIES-23 AND C.N.195.1975.TREATIES-2,
BOTH DATED 13 AUGUST 1975.

THE APPLICATION OF THE TWO CONVENTIONS TO THE
WESTERN SECTORS OF BERLIN CONTINUES, THEREFORE, IN FULL
FORCE AND EFFECT.

WE HAVE THE HONOUR TO REQUEST THAT THE CONTENTS
OF THIS NOTE BE CIRCULATED IN THE SAME MANNER AS THE
NOTE FROM THE LEGAL COUNSEL OF 26 MARCH 1975 REFERRED
TO ABOVE.

WE AVAIL OURSELVES OF THIS OPPORTUNITY TO RENEW
TO YOU, SIR, THE ASSURANCES OF OUR HIGHEST CONSIDERATION.
END TEXT.

3. UKUN TEXT ALSO DIFFERS FROM "AGREED TEXT" IN THAT
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 BONN 00375 081803Z

IT WOULD BE JOINT NOTE FROM US, UK, AND FRANCE, WHILE
"AGREED TEXT" WOULD BE USED IN IDENTICAL SEPARATE NOTES.

4. ALLIED REPS AGREED:

-- A) UKUN TEXT IS ACCEPTABLE;

B) SINCE IN PAST ALLIES HAVE SENT BOTH JOINT AND

INDIVIDUAL NOTES ON BERLIN MATTERS IN UN CONTEXT,
EITHER METHOD ACCEPTABLE AND MATTER SHOULD BE LEFT TO
UN MISSIONS TO DECIDE BASED ON PRACTICE AND PREFERENCE
THERE.

5. ACTION REQUESTED: DEPARTMENT APPROVE POINTS
IN PARA 4 AND SO INFORM USUN. HILLENBRAND

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, AGREEMENT DRAFT, HONOR AWARDS, INTERNATIONAL ARBITRATION, BERLIN TRIPARTITE MATTERS, DIPLOMATIC NOTES
Control Number: n/a
Copy: SINGLE
Draft Date: 08 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BONN00375
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760007-0348
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760177/aaaacqiw.tel
Line Count: 122
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 294214, 75 BONN 19592, 75 BONN 18796
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 26 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 MAR 2004 by izenbei0>; APPROVED <15 APR 2004 by morefirh>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTENSION TO BERLIN OF CONVENTION ON FOREIGN ARBITRAL AWARDS
TAGS: PFOR, WB, GC, GE, US, UK, UN
To: STATE USUN NEW YORK
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006